

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:

Anatoly Gershengorin and
Isabella Gershengorin,
Debtors.

Anatoly Gershengorin and
Isabella Gershengorin,

Plaintiffs,

v.

SMS Financial Recovery Services, LLC,
Defendant.

Case No. 24-15724

Chapter 13

Adv. Pro. No. 24-ap-00391

Hon. Donald R. Cassling

NOTICE OF MOTION

TO: See certificate of service

PLEASE TAKE NOTICE that on **January 2, 2025 at 10:00 a.m.**, I shall appear before the Honorable Donald R. Cassling, or any judge sitting in that judge's place, **either** in Courtroom 619 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn Street, Chicago, IL 60604, or electronically as described below, and present the **Unopposed Motion to Extend Time to Respond to Plaintiffs' Adversary Complaint**, a copy of which is attached.

Important: Only parties and their counsel may appear for presentment of the Motion electronically using Zoom for Government. All others must appear in person.

To appear by Zoom using the internet, go to this link: <https://www.zoomgov.com/>. Then enter the meeting ID and passcode. You may appear electronically by video or by telephone.

To appear by Zoom using a telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is **161 414 7941**, and the passcode is **619**. The meeting ID and passcode can also be found on the judge's page on the court's web site.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

SMS Financial Recovery Services, LLC

By: /s/ Martin J. Wasserman
One of its Attorneys

Martin J. Wasserman ARDC #6294040
CARLSON DASH, LLC
216 S. Jefferson St., Suite 303
Chicago, IL 60661
Telephone: (312) 382-1600
Email: mwasserman@carlsondash.com

CERTIFICATE OF SERVICE

I, Martin J. Wasserman, the undersigned attorney, certify that on December 20, 2024, I caused to be served copies of the foregoing document on the ECF Registrants shown below via the Court's Electronic Notice for Registrants and by First Class US Mail on all other entities shown at the addresses listed below.

/s/ Martin J. Wasserman

Registrants Served Through the Court's Electronic Notice for Registrants:

Justin R. Storer on behalf of Anatoly Gershengorin and Isabella Gershengorin
jstorer@wfactorlaw.com

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:

Anatoly Gershengorin and
Isabella Gershengorin,
Debtors.

Case No. 24-bk-15724

Chapter 13

Anatoly Gershengorin and
Isabella Gershengorin,

Adv. Pro. No. 24-ap-00391

Plaintiffs,

Hon. Donald R. Cassling

v.

SMS Financial Recovery Services, LLC,
Defendant.

**UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO
PLAINTIFFS' ADVERSARY COMPLAINT**

Pursuant to section 105(a) of title 11 of the United States Code (the “Bankruptcy Code”), Rule 9006(b)(1) of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), Defendant, SMS Financial Recovery Services, LLC (“SMS”), respectfully submits this unopposed motion (the “Motion”) requesting an extension until January 9, 2025 to respond to Plaintiffs’ adversary complaint, and in support states as follows:

1. On October 21, 2024, Anatoly Gershengorin and Isabella Gershengorin (the “Plaintiffs”) filed a Voluntary Petition under Chapter 13 of the Bankruptcy Code.
2. On December 3, 2024, the Plaintiffs filed this adversary complaint against SMS seeking to determine the validity, priority, or extent of SMS’s lien pursuant to Bankruptcy Rules 7001(2) and 7001(9). [Doc 1].
3. SMS was served with summons and a copy of the Complaint on December 6, 2024. [Doc. 3].

4. SMS is required to file its answer or responsive pleading within 30 days of issuance of the summons, or by January 2, 2025.

5. SMS recently retained counsel and requires additional time to prepare its response to the Complaint.

6. Counsel for SMS has met and conferred with counsel for Plaintiffs regarding its request for an extension of time to respond, and Debtors' counsel indicated they had no objection.

7. This motion is not made for purposes of delay and will not result in prejudice to Plaintiffs.

WHEREFORE, Defendant SMS Financial Recovery Services, LLC respectfully requests that this Court enter an order granting it an extension of time up to and including January 9, 2025 to respond to Plaintiffs' adversary complaint, and for such further relief the Court deems just and equitable.

SMS Financial Recovery Services, LLC

By: /s/ Martin J. Wasserman
One of its Attorneys

Martin J. Wasserman ARDC #6294040
CARLSON DASH, LLC
216 S. Jefferson St., Suite 303
Chicago, IL 60661
Telephone: (312) 382-1600
Email: mwasserman@carlsondash.com